

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

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v.

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CR 113-008

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JAMES EARL JACKSON

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O R D E R

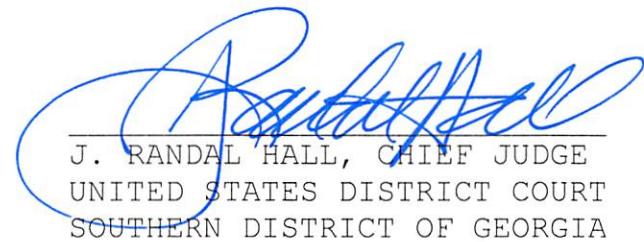
In the captioned criminal matter, Defendant James Earl Jackson has filed a motion seeking an award of credit against his federal sentence for time served after he was sentenced by this Court.

Matters of credit for time served and other length of sentence determinations are better directed to the Bureau of Prisons ("BOP"), not this Court. Moreover, a judicial challenge to the BOP's decision regarding the execution of a federal sentence must be brought under 28 U.S.C. § 2241 in the district of confinement rather than in the sentencing court. Fernandez v. United States, 941 F.2d 1488, 1495 (11th Cir. 1991); see also United States v. Nyhuis, 211 F.3d 1340, 1345 (11th Cir. 2000) ("A claim for credit for time served is brought under 28 U.S.C. § 2241 after the exhaustion of administrative remedies."). Accordingly, once Defendant exhausts his administrative remedies with the BOP, he must bring his § 2241 challenge in the Northern District of

Georgia, which has territorial jurisdiction over the facility in which Defendant is presently incarcerated. This Court simply does not have jurisdiction to consider the matter. See Rumsfield v. Padilla, 542 U.S. 426, 442-43 (2004).

Upon the foregoing, the Government's motion to dismiss (doc. 69) Defendant's motion to award credit for time served is **GRANTED**. The Clerk is directed to **TERMINATE** Defendant's motion (doc. 67).

ORDER ENTERED at Augusta, Georgia, this 1st day of February, 2021.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA